

The Honorable Tana Lin

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARIANA FRANZETTI, individually and
on behalf of all others similarly situated,

Plaintiff,

V.

PACIFIC MARKET INTERNATIONAL,
LLC, D/B/A PMI WORLDWIDE, AND
DOES 1-10.

Defendants.

NO. 2:24-cv-00191-TL

**NOTICE OF RELATED CASE
AND PENDENCY OF OTHER
ACTION PURSUANT TO LOCAL
CIVIL RULE 3(G) AND 3(H)**

Pursuant to Local Civil Rule (“LCR”) 3(g), Plaintiff Mariana Franzetti, individually and on behalf of all others similarly situated, hereby notifies the Court that this action is related to *Krohn, et al., v. Pacific Market International, LLC*, No. 2:24-cv-00200-JNW, currently pending before the Honorable Jamal N. Whitehead.

The *Franzetti* and *Krohn* actions were both recently filed in the Western District of Washington and concern “substantially the same parties, property, transaction, or event.” See LCR 3(g)(4)(A). Each action arises out of the advertising and sale of certain Stanley brand insulated tumblers that are alleged to contain toxic lead. Each complaint alleges Defendant

1 misrepresented and failed to fully disclose the presence of lead in these popular insulated
 2 tumblers. And each action asserts claims under consumer protection statutes arising from the
 3 undisclosed presence of lead in these insulated tumblers. The *Franzetti* and *Krohn* Complaints
 4 both name Pacific Market International, LLC as a defendant. Additionally, there is substantial
 5 overlap between the proposed classes as each action asserts a putative nationwide class of
 6 purchasers of these items. Each case is at the same or similar stage of litigation with the cases
 7 being filed within days of each other (this action being the first filed action). Thus, as both cases
 8 are filed against the same defendant, arise from substantially similar allegations, require
 9 determinations of similar questions of fact and law, and are likely to entail substantial duplication
 10 of effort for the judges assigned to each respective case, they should be deemed related and
 11 assigned to this Court. *See LCR 3(g)(4)(B).*

12 Pursuant to LCR 3(h), Plaintiff Mariana Franzetti, also notifies the Court of a pending
 13 state court action in another jurisdiction that involves similar allegations as in the above-
 14 captioned cases, as well as the same defendant. The other recently-filed action, *Brown et al., v.*
 15 *Pacific Market International, LLC, et al.*, Case No. 24STCV02653, (Los Angeles Superior
 16 Court), is styled as a putative class action arising from the advertising and sale of certain Stanley
 17 tumblers alleged to contain lead. It also only names Pacific Market International, LLC as a
 18 defendant. However, that Complaint is only filed on behalf of a putative class of consumers
 19 residing in California who purchased these items, which is subsumed within the definition of the
 20 classes in the *Franzetti* and *Krohn* Complaints. Depending on how the Defendant decides to
 21 proceed with that action some form of coordination could conserve resources. However, it is
 22 premature to determine that issue.
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1 Dated: February 21, 2024

Respectfully submitted,

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24 * *Pro Hac Vice Application Pending*

25 *Counsel for Plaintiff and Proposed Class*